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C O N F I D E N T I A L SECTION 01 OF 02 BANGKOK 005799

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DEPARTMENT FOR F, P, EAP  
OSD FOR DASD/ISA  
NSC FOR WILDER  
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SUBJECT: THAILAND COUP: IMPLEMENTING SANCTIONS

Classified By: Ambassador Ralph L. Boyce. Reason 1.4 (a and d)

11. (C) Summary. The September 19 military coup in Thailand clearly appears to mandate implementation of sanctions under Section 508 of the Foreign Operations Appropriations Act. Subject to legal exemptions for programs such as the Peace Corps, or those aimed at providing disaster assistance, HIV/AIDS programs and other programs not benefiting the military, Post supports the immediate suspension of obligations or expenditures of funds under programs such as International Military Education and Training (IMET), Foreign Military Financing (FMF), the Economic Support Fund (ESF), International Narcotics Control and Law Enforcement (INL), and others until the President determines and certifies to Congress that a democratically elected government has taken office. Post further proposes that those military programs that are similar to initiatives subject to Section 508, but not part of the Foreign Operations Act, also be suspended until the installation of an acceptable interim civilian caretaker government. These programs would include our comprehensive military exercise program, and programs already funded for maritime security under Section 1206 of the National Defense Authorization Act of 2006. Although these additional sanctions might only be in place for a brief period, they will give the United States a useful tool to prod the military-led Council for Democratic Reform under the Constitutional Monarchy (CDRM) to take necessary intermediate steps resulting in a freely elected civilian government. The first such step -- appointment of an interim civilian government -- could take place in the next couple of weeks. We believe that an official statement issued in Washington on September 20 announcing that the United States is imposing sanctions, to include the suspension of IMET and FMF, will demonstrate our resolve to the CDRM. End Summary.

SECTION 508 SHOULD BE APPLIED

12. (C) This message is designed to assist Washington policy makers in assessing the implications of Section 508 to the coup situation in Thailand. Post fully expects and supports a determination that 508 sanctions apply. Embassy Sections are compiling data outlining the programs likely to be affected. Among these are our IMET and FMF programs and law enforcement programs funded by INL, ATA and others. We

understand that notwithstanding authority exists to shield some programs, including the Peace Corps, Overseas Foreign Disaster Assistance, USAID Operating Expenses, HIV/AIDS programs, child survival programs and others from 508 and that those programs in Thailand would likely not be suspended. Post seeks guidance on whether regional programs funded by INL and implemented by the International Law Enforcement Academy (ILEA) would be subject to 508. (NOTE: Most regional programs at ILEA include about 10 percent Thai students with the remaining students coming from about a dozen other countries. Post understands that there may be a 508 exemption for programs that benefit Thailand as part of a larger regional activity. END NOTE).

#### CONSIDERATION FOR IMET

13. (C) Effective immediately, we have stopped sending Thai soldiers to the United States on IMET programs. We understand that Washington has leeway in determining whether the suspension of IMET will necessitate that Thai soldiers already in training programs in the United States must be immediately withdrawn and sent back to Thailand. If possible, we ask that students already in programs be allowed to complete their course work. Although not subject to 508, we likewise propose that no new Thai students be admitted to the U.S. Service Academies until 508 sanctions are lifted but request that students already enrolled at those schools be allowed to complete their studies. Additionally, attendees already enrolled in Counterterrorism Fellowship Program-funded courses should continue until completion of their course but Thai participation in future courses will be suspended.

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#### GOING BEYOND 508

14. (C) It will likely be months before Thailand will have a democratically elected government and we can lift 508 sanctions. In order to give us intermediate measures to encourage the Thai to respect democratic norms, we propose also suspending other military programs, the suspension of which will not jeopardize vital U.S. national interests, until the Thai install an acceptable interim civilian caretaker government. As part of these additional sanctions, we propose notifying the Thai that we will stop all planning and execution of military exercises, including Cobra Gold, until an acceptable civilian transition government is in place. Although these sanctions would place a tremendous burden on exercise planners who are shaping Cobra Gold 07, Cope Tiger, CARAT and other major exercises, we believe flexible sanctions that can be removed prior to the lifting of 508 sanctions will provide us with appropriate interim measures to demonstrate to the Thai military the consequences of their actions. As part of this collection of sanctions, we propose suspending the implementation of regional maritime security programs authorized by Section 1206 of the National Defense Authorization Act of 2006. We hope that the CDRM will quickly install an acceptable interim civilian government that would allow us to remove these secondary sanctions.

#### PROGRAMS WE WANT TO SHIELD

15. (C) Some of our security assistance programs in Thailand are vitally important to U.S. interests. Included among these are the Personal Identification Secure Comparison and Evaluation System (PISCES) being implemented at Thai ports of entry to monitor travelers entering and exiting the country, the U.S. Military Information Support Team (MIST) with Civil Affairs augmentation developing a psyops strategy for Thai soldiers countering insurgents in Southern Thailand, and discreet bilateral training to assist Thai soldiers rotating to the South to identify and disarm IEDs. We believe that these benign and non-lethal programs, which we understand are not subject to 508, should be exempt from any sanctions we

impose and request Washington concurrence. The Global Peace Operations Initiative (GPOI) is another program we should continue to support, as Thailand is scheduled to host the GPOI CAPSTONE event in May 2007, with participation from five other countries.

#### A CLEAR STATEMENT ON SANCTIONS

16. (C) Post is compiling a more comprehensive list of programs likely subject to 508 and secondary sanctions to assist decision makers in Washington analyze the probable impact of sanctions. While recognizing the difficulty associated with approving sanctions, Post hopes Washington can issue a clear statement on September 20 announcing that the United States has suspended a number of security assistance programs to Thailand in response to the coup (Septel will provide Post's suggested language). Such a statement, coupled with serious 508 sanctions that will not be removed until the President can assure Congress that a democratic government is in place -- and other sanctions that can be removed once an acceptable interim civilian government is in office -- will demonstrate U.S. commitment to a return to democracy in Thailand.

BOYCE